

Montana State Legislature

2013 Session

Additional Documents include:

- *Business Report**
- *Roll Call- attendance**
- *Standing Committee Reports,**
- *Table Bills, Fiscal reports etc.**
- *Roll Call Votes**
- *Witness Statements**
- *Informational items**
- *Visitor Registrations**
- *Any other Documents;**
 - ~Petitions if any?**
 - ~Any and all material handed in after the meeting end.**

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BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE NATURAL RESOURCES COMMITTEE

Date: Monday, February 18, 2013
Place: Capitol

Time: 3:00 PM
Room: 172

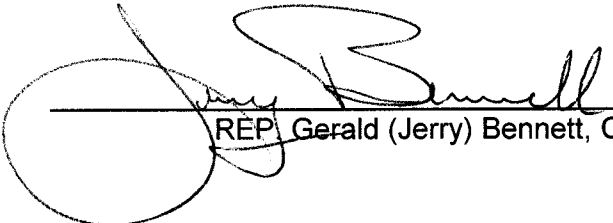
BILLS and RESOLUTIONS HEARD:

HB 483 - Require septic inspection before property transfer - Rep. Ed Lieser

EXECUTIVE ACTION TAKEN:

HB 435 - Do Pass as Amended
HB 381 - Be Tabled

Comments:



REP. Gerald (Jerry) Bennett, Chair

HOUSE OF REPRESENTATIVES
Roll Call
NATURAL RESOURCES COMMITTEE

DATE: 2-18-13

<u>NAME</u>	PRESENT	ABSENT/EXCUSED
REP. PAT CONNELL, VICE CHAIR	✓	
REP. VIRGINIA COURT, VICE CHAIR		E
REP. ALAN DOANE	✓	
REP. JENNY ECK	✓	
REP. STEVE FITZPATRICK	✓	
REP. WYLIE GALT	✓	
REP. BRIAN HOVEN		E
REP. ED LIESER	✓	
REP. RYAN LYNCH	✓	EX
REP. MIKE MILLER		E
REP. JP POMNICHOWSKI	✓	
REP. RAY SHAW	✓	
REP. WENDY WARBURTON		E
REP. KERRY WHITE	✓	
REP. KATHLEEN WILLIAMS	✓	
REP. JERRY BENNETT, CHAIR	✓	



HOUSE STANDING COMMITTEE REPORT

February 18, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 435** (first reading copy - white) do pass as amended.

Signed: 
Representative Gerald (Jerry) Bennett, Chair

And, that such amendments read:

1. Page 3, line 1.

Strike: "(5)"

Insert: "(6)"

2. Page 3, line 23 through line 28.

Strike: subsection (2) in its entirety

Insert: "(2) The department of commerce shall biennially designate each local government unit that has or expects to have within 2 years the rail transportation of coal through the local government unit in a number averaging at least eight loaded or unloaded coal trains each day.

(3) The department of commerce shall biennially designate each local government unit that is designated under subsections (1) and (2) and that has proposed a railroad quiet zone under 49 CFR, parts 222 and 229."

Renumber: subsequent subsections

3. Page 4, line 29 through line 30.

Strike: subsection (9) in its entirety

Insert: "(10) In awarding funds, preference must be given to local government units based on the following order of priority:

(a) local government units that are designated under subsection (1);

(b) local government units that are designated under subsection (3); and

Committee Vote:

Yes 9, No 7

Fiscal Note Required __

HB0435001SC.hjk

11:10 DC
2-19-13

(c) local government units that are designated under subsection (2) and that have proposed a railroad quiet zone under 49 CFR, parts 222 and 229."

4. Page 5, line 1.

Strike: "(10)"

Insert: "(11)"

Strike: "subsection (9)"

Insert: "subsections (10)(b) and (10)(c)"

- END -

BILL TABLED NOTICE

HOUSE NATURAL RESOURCES COMMITTEE

The HOUSE NATURAL RESOURCES COMMITTEE TABLED

HB 381 - Revise fines for lakeshore protection violations - Rep. Ed Lieser

, by motion, on **Monday, February 18, 2013.**

Rebecca Shaw

(For the Committee)

DC

(For the Chief Clerk of the House)

8:00

(Time)

2-19

(Date)

February 18, 2013 (5:15pm)

Rebecca Shaw, Secretary

Phone: 4877

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 2-18-13 BILL NO 381 MOTION NO. _____
 MOTION: _____

Do Pass

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. PAT CONNELL, VICE CHAIR		✓	
REP. VIRGINIA COURT, VICE CHAIR	✓		
REP. ALAN DOANE		✓	
REP. JENNY ECK	✓		
REP. STEVE FITZPATRICK		✓	
REP. WYLIE GALT		✓	
REP. BRIAN HOVEN		✓	
REP. ED LIESER	✓		
REP. RYAN LYNCH	✓		
REP. MIKE MILLER		✓	
REP. JP POMNICHOWSKI	✓		
REP. RAY SHAW		✓	
REP. WENDY WARBURTON		✓	X
REP. KERRY WHITE		✓	
REP. KATHLEEN WILLIAMS	✓		
REP. JERRY BENNETT, CHAIR		✓	

6

10

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 2-18-13 BILL NO AB5 MOTION NO. _____

MOTION: As Amd

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. PAT CONNELL, VICE CHAIR	✓		
REP. VIRGINIA COURT, VICE CHAIR	✓		
REP. ALAN DOANE		✓	
REP. JENNY ECK	✓		
REP. STEVE FITZPATRICK		✓	
REP. WYLIE GALT		✓	
REP. BRIAN HOVEN	✓		
REP. ED LIESER	✓		
REP. RYAN LYNCH	✓		
REP. MIKE MILLER		✓	
REP. JP POMNICHOWSKI		✓	
REP. RAY SHAW		✓	
REP. WENDY WARBURTON	✓		X
REP. KERRY WHITE		✓	
REP. KATHLEEN WILLIAMS	✓		
REP. JERRY BENNETT, CHAIR	✓		

9 - 7

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the House Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Connell

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

HB 381		X
HB 43503.1a/k	X	
HB 43501.1a/k	X	
HB 435	X	

BILL/AMENDMENT

AYE NO

Rep. Wendy Wamboldt
(Signature)

Date 2-18-13

MONTANA House of Representatives
Visitors Register
HOUSE NATURAL RESOURCES COMMITTEE

Monday, February 18, 2013

HB 483 - Require septic inspection before property transfer

Sponsor: Rep. Ed Lieser

PLEASE PRINT

Name	Representing	Support	Oppose	Info
LORI CURTIS	WHITEFISH LAKE INSTITUTE			X
Abigail St. Lawrence	Mont. Assoc. of Realtors		X	
LINDA STOLL	MEHA	✓		
Beth Norberg	Lewis & Clark City-County Health			X
Amy Fisher	MAR		X	
Jon Dittland	DEQ			X
GEORGE MATTHEWS	DEQ			X
Joan Vetter Ennenberg	CITIZEN	✓		
Anne Hedgq	MEIC	✓		
Diana Yarns	CITIZEN	✓		
Bonnie Baker	"	✓		
Leslie Scott	"	✓		
Cassey Perkins	MSGC	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

"Chuck Stearns" <cstearns@cityofwhitefish.org>
To: "Ed Lieser" <rep.elieser@legmt.gov>, "Ed Lieser1" <liesered@yahoo.com>
HB483

February 20, 2013 8:41 AM

1 Attachment, 5 KB

Rep. Lieser -- a shorter version of this email was sent to the House Natural Resources Committee via the Legislature's message system. Please feel free to distribute this slightly longer email to all members.

Chairman Bennett and Members of the House Natural Resources Committee:

At their semi-monthly meeting last night, the Whitefish City Council discussed HB483, Representative Ed Lieser's bill to enable local boards of health to provide for the inspection of septic systems prior to a property transfer. The Whitefish City Council authorized me to send this email in support of HB483.

As I am sure you are aware, an important aspect of HB483 is that it is permissive, not mandatory. Each local board of health, in our case the Flathead County Health Board, would have the choice to require septic system inspections. Therefore, in our area, if the Flathead County Health Board chose to implement such mandatory inspections, the regulation would be limited to Flathead County.

With the looming specter of the TMDL (Total Daily Maximum Load) regulations for Flathead Lake and its tributaries, as well as other TMDL's statewide, the inspection of septic systems upon property transfer could play a role in reducing nutrients in the state's surface waters. Reducing all nutrients which can go into groundwater and surface water could help local governments and industries with wastewater discharge permits meet water quality regulations in the future.

Limiting the septic system inspection to when a property transfers is very similar to having a home inspection, therefore we believe most people would accept such a regulation at the local level. The Flathead County Board of Health may or may not implement the regulation, but they should have the ability to consider the merits of such a requirement.

Thank you for considering our support for HB483.

Chuck Stearns
City Manager
City of Whitefish
P.O. Box 158
418 East 2nd Street
Whitefish, MT 59937-0158
Telephone - 406-863-2406
Fax - 406-863-2419
Cell -
cstearns@cityofwhitefish.org



February 21, 2013

Memo to: House Natural Resources Committee
Subject: Comments on HB 483
From: Don Spivey, Whitefish, MT

Rebecca Skow
Rm 451

Committee chairman and members,

I'm writing in support of the subject bill. I'm sure y
across Montana and associated public health conce
future and the public health and welfare of all Mon

Here in the Flathead Valley we have the unique ad
Biological Laboratory (a world class limnology fac
Lake Institute to guide us in our considerations abo
in our area and to provide foundational information
the State.

HB 483 is a first step toward meeting those objectives. I know you've heard about the
septic leachate problems around Whitefish Lake and I would submit those problems exist
or will exist elsewhere in the state in many of our many lakes and streams.

Requiring a septic inspection associated with property transfers makes good sense not
only from the standpoint of water quality and health concerns but as an important
component in any responsible and ethical property transaction where a septic system is
involved. My wife and I live in a home with a septic system and hope to sell our home in
the not too distant future. We would have no objection to a septic inspection before the
sale, in fact, I would feel ethically bound to insure that any buyer of our home is getting a
home with a correctly functioning septic system. I would also feel responsible for
providing the buyer sound guidance on how to service the system to insure it's continuing
safe performance.

I've been involved in water quality issues for many years and consider this legislation a
good first step but only the first of a series of needed legislative actions to protect our
State's reputation for pristine waters to be enjoyed by all our resident and visitor for years
to come.

Thanks for considering my comments.

Respectfully,

Don Spivey
117 Park Knoll Lane
Whitefish, MT 59937
862-7733